Los Angeles County Sheriff's Department
Supervisor's Report on Use of Force

Incident Information

URN: 015-15203-0277-050 | Date: 10/21/15 | Time: 2010

Location: [redacted] S. Record Ave., Los Angeles, 90022 | City or Station: East Los Angeles

Bureau/Station/Facility: East Los Angeles | Admin. Investigation: ○ YES ◉ NO

Type of Force: Personal Weapons (hands) - Taser (Drive Stun) - Control Holds

Incident Category: ○1 ○2 ◉3 | Deputy Injury: ○ YES ◉ NO | Suspect Injury ◉ YES ○ NO

☒ Call ☐ Observation ☐ Detail ☐ Foot Pursuit ☐ Vehicle Pursuit

IAB Notified: ◉YES ○ NO | Person Notified: Lt. Carrizosa | Emp: [redacted] | IAB Roll Out ◉ YES ○ NO

Involved Employee

E 1

Employee #: [redacted] | Last Name: Alatorre | First Name: Andrew | Middle I.: H | Rank: Deputy

Sex: ◉ M ○ F | Race: H | Height: 5'11 | Weight: 150 | Age: [redacted] | Shift: ○ EM ○ Day ◉ PM | ○ Regular Shift ◉ OT Shift ○ Off Duty

Unit of Assignment: East Los Angeles Station | Work Assignment (Unit #, Module, etc.): 24

Individual Force Used: Personal Weapons (hands/elbow) | ○ Directed ○ Rescue ○ Medical Assist | Individual Category ○1 ○2 ◉3

☐ Injured ☐ Treated ☐ Admitted Facility: | Coroner Case #

E 2

Employee #: [redacted] | Last Name: [redacted] | Rank: Deputy

Sex: ◉ M ○ F | Race: W | Height: 5'06 | Weight: 200 | Age: [redacted] | Shift: ○ EM ○ Day ◉ PM | ◉ Regular Shift ○ OT Shift ○ Off Duty

Unit of Assignment: East Los Angeles Station | Work Assignment (Unit #, Module, etc.): 23

Individual Force Used: Control Technique (hands), Taser (Drive Stun) | ○ Directed ○ Rescue ○ Medical Assist | Individual Category ○1 ○2 ◉3

☐ Injured ☐ Treated ☐ Admitted Facility: | Coroner Case #

E 3

Employee #: [redacted] | Last Name: [redacted] | Rank: Deputy

Sex: ◉ M ○ F | Race: H | Height: 5'08 | Weight: 190 | Age: [redacted] | Shift: ○ EM ○ Day ◉ PM | ◉ Regular Shift ○ OT Shift ○ Off Duty

Unit of Assignment: East Los Angeles Station | Work Assignment (Unit #, Module, etc.): 23

Individual Force Used: Control Technique (hands) | ○ Directed ○ Rescue ○ Medical Assist | Individual Category ○1 ○2 ◉3

☐ Injured ☐ Treated ☐ Admitted Facility: | Coroner Case #

On Duty Supervisor ☐ Additional Involved Employees

Emp. #: [redacted] | Last Name: Flores | First Name: Joel | Middle I.: | Rank: SGT | Present: YES ○ NO ◉ | Witness to Incident: YES ○ NO ◉

Supervisor Completing Investigation

Emp. #: [redacted] | Last Name: Dang | First Name: Luan | Middle I.: V | Rank: SGT | Present: YES ○ NO ◉ | Witness to Incident: YES ○ NO ◉

Watch Commander / Supervising Lieutenant

Emp. #: [redacted] | Last Name: Gulley | First Name: Dale | Middle I.: M. | Rank: LT

Carrizosa [signature] | 8/23/16

Watch Commander / Supervising Lieutenant's **Signature:** | Date | Copy Provided to Employee by: | Emp #:

Unit Commander **(Print Name)** | Unit Commander's **Signature**: | Emp #: | Date

DISCOVERY Use Only
FO#

☐ PPI REVIEW COMPLETED

Original: Discovery Unit
Copy: Unit Commander

SH-R-438P (Rev. 01/13)

Supervisor's Report on Use of Force
SUSPECT INFORMATION

015 - 15203 - 0277 - 050

Suspect Information

S 1

Last Name: Espinoza | First Name: Martin | Middle Name: | Armed? Select: Other

AKA Last Name: Esparza | First Name: Martin | Middle Name:

Sex: (●) Male ( ) Female | Race: H | Age: 34 | Height: 510 | Weight: 240 | D.O.B: 06/06/81 | Phone #1: ( ) H ( ) W ( ) C None | Phone #2: ( ) H ( ) W ( ) C None

Street Address: [redacted] | City: [redacted] | State & Zip Code: [redacted]

Booking #: 4479210 | Primary Charge Code: 273.5 PC | Secondary Charge Code: | [redacted] Criminal History

Treated on Scene? (●) YES ( ) NO Name: Captain Robertson | Unit: Engine #3 | Phone #: (323) 269-4124

Hospital Admission? [X] Rec'd Treatment At: LCMC | Coroner Case #: | Mental History [X] User's guide provides direction on this entry

By: Dr. Brian Wong | Address: 2051 Marengo St. L.A. CA 90033 | Phone #: (323) 409-1000

Under Influence: (●) YES ( ) NO | Substance: Alcohol | 5150 a factor in force? (●) YES ( ) NO User's guide provides direction on this entry

Suspect Interview

Date: 10/22/15 | Time: 1700 | [ ] Audiotape: [X] Videotape: [X] Photos of Injuries: [ ] ADMITS HEARING ANNOUNCEMENTS

Suspect Information

S__

Last Name: | First Name: | Middle Name: | Armed? Select:

AKA Last Name: | First Name: | Middle Name:

Sex: ( ) Male ( ) Female | Race: | Age: | Height: | D.O.B. | Weight: | Phone #1: ( ) H ( ) W ( ) C | Phone #2: ( ) H ( ) W ( ) C

Street Address: | City: | State & Zip Code:

Booking #: | Primary Charge Code: | Secondary Charge Code: | [ ] Criminal History

Treated on Scene? ( ) YES ( ) NO By: | Unit: | Phone #:

Hospital Admission? [ ] Rec'd Treatment At: | Coroner Case #: | Mental History [ ] User's guide provides direction on this entry

By: | Address: | Phone #:

Under Influence: ( ) YES ( ) NO | Substance: | 5150 a factor in force? ( ) YES ( ) NO User's guide provides direction on this entry

Suspect Interview

Date: | Time: | [ ] Audiotape: [ ] Videotape: [ ] Photos of Injuries: [ ] ADMITS HEARING ANNOUNCEMENTS

Suspect Information

S__

Last Name: | First Name: | Middle Name: | Armed? Select:

AKA Last Name: | First Name: | Middle Name:

Sex: ( ) Male ( ) Female | Race: | Age: | Height: | D.O.B. | Weight: | Phone #1: ( ) H ( ) W ( ) C | Phone #2: ( ) H ( ) W ( ) C

Street Address: | City: | State & Zip Code:

Booking #: | Primary Charge Code: | Secondary Charge Code: | [ ] Criminal History

Treated on Scene? ( ) YES ( ) NO By: | Unit: | Phone #:

Hospital Admission? [ ] Rec'd Treatment At: | Coroner Case #: | Mental History [ ] User's guide provides direction on this entry

By: | Address: | Phone #:

Under Influence: ( ) YES ( ) NO | Substance: | 5150 a factor in force? ( ) YES ( ) NO User's guide provides direction on this entry

Suspect Interview

Date: | Time: | [ ] Audiotape: [ ] Videotape: [ ] Photos of Injuries: [ ] ADMITS HEARING ANNOUNCEMENTS

[ ] **Additional Suspects Involved**

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Method

(AW) Arwen
(BC) Baton: (Control)
(BI) Baton: (Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds: (Control Techniques)
(TT) Control Holds: (Team Takedown)
(TD) Control Holds: (Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(RO) Restraint Device (Other)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device: Hobble (Legs Only)
(TP) Restraint Device: Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(IR) Less Lethal Impact Round (other)
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative
(HR) High Risk

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Involved

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hands
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(NO) Nose
(SH) Shoulder
(WR) Wrist

FORCE USED BY		FORCE USED AGAINST		Method (Code)	Type of Injury (Code)	Body Part (Code)
Name	E# or S#	Name	E# or S#			
Espinoza	S#1	Alatorre	E#1	PH	NN	HD
Alatorre	E#1	Espinoza	S#1	CT	NN	AR
Espinoza	S#1	Alatorre	E#1	HR	NN	HD
Alatorre	E#1	Espinoza	S#1	PH	BR	HE
Espinoza	S#1	Alatorre, [redacted]	E#1&2	HR	NN	HD
Alatorre	E#1	Espinoza	S#1	PH	BR	EL
[redacted]	E#2	Espinoza	S#1	TR	NN	BK
Espinoza	S#1	[redacted]	E#3	HR	NN	HD
[redacted]	E#3	Espinoza	S#1	CT	NN	AR

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT

INVESTIGATIVE SUMMARY

INCIDENT:	**Use of Force, Inmate Hospitalized (Head Injury)**
IAB FILE NUMBER:	**FO 2388560**
URN#:	**015-15203-0277-050**
DATE/TIME:	**October 21, 2015, 2010 Hours**
LOCATION:	[redacted] **5th Street, Los Angeles**

SYNOPSIS

On October 21, 2015, an Internal Affairs Bureau (IAB) team comprised of Lieutenant Slade Carrizosa, Sergeant Patrick Mannion, and Sergeant Jeff Smith responded to [redacted] 5th Street, Los Angeles, regarding a use of force resulting in an inmate hospitalization. On July 20th, 2016, this case was reassigned to Sergeant Luan Dang.

On October 21, 2015, East Los Angeles Station received a call transferred from the California Highway Patrol (CHP). The CHP informed East Los Angeles desk personnel a male caller requested police to check an abandoned house. The caller told the CHP there was a lot of blood at the location. East Los Angeles desk personnel were unable to contact the informant. East Los Angeles Station generated for a call of service (Tag #449).

Deputies Justin Waites and David Vaca, (Unit #22), were assigned the call, and the first unit to arrive on scene. As Deputies Waites and Vaca spoke to the informant and the victim, additional East Los Angeles units (Deputies Andrew Alatorre, Eduardo Muniz, [redacted] and [redacted] arrived to assist. Deputies Waites and Vaca determined a felony domestic assault had occurred, and directed assisting units to look for the suspect (later identified as Martin Espinoza). The deputies were informed by the victim the suspect was armed with a knife.

Aero Bureau (Air 22) arrived shortly after, and searched for the suspect. Deputy Ignacio Gracia (Aero Bureau Observer) located the suspect walking up a hill from Langsford Street toward Hebert Avenue. Deputy Gracia noticed the suspect appeared to be wet, and advised East Los Angeles units of the suspect's location. Deputy Gracia advised East Los Angeles units to approach the suspect from the top of the hill, and provided guidance for the ground units.

As Deputy Alatorre drove east on Eagle Street, he noticed a male matching the descriptions of the suspect provided by Deputies Waites and Vaca, walking along a wrought iron fence, adjacent to Herbert Avenue. Deputy Alatorre noticed Suspect Espinoza was bleeding from his head, arms, and body. Deputy Alatorre shined his vehicle's spotlight at the suspect, and ordered him to stop. Deputy Alatorre noticed Deputies [redacted] and [redacted] were directly behind his patrol vehicle. Deputy Alatorre exited his patrol vehicle and went through an opening between a block wall and the wrought iron fence to approach Suspect Espinoza. Deputies [redacted] and [redacted] followed closely behind Deputy Alatorre.

As Deputy Alatorre approached Suspect Espinoza, Suspect Espinoza said, "fuck you," and attempted to punch Deputy Alatorre. Deputy Alatorre avoided the suspect's punch. Suspect Espinoza and Deputy Alatorre lost their footing on the top of the hill, and stumbled 15 to 20 yards down the hillside.

Upon coming to a stop from their initial stumble, both Deputy Alatorre and Suspect Espinoza laid on their backs. Suspect Espinoza, again, attempted to punch Deputy Alatorre. Deputy Alatorre avoided Suspect Espinoza's punch. Deputy Alatorre and Suspect Espinoza regained their balance, and stood to their feet. Once they stood up, Deputy Alatorre immediately grabbed Suspect Espinoza's left arm.

Meanwhile, as Deputy Alatorre attempted to control Suspect Espinoza, Deputy [redacted] ran down the steep hill to their location. After Suspect Espinoza regained his balance and stood up, Deputy [redacted] grabbed Suspect Espinoza's shoulder and right arm. Deputy [redacted] momentum from running down the hillside and grabbing Suspect Espinoza caused all three of them (Deputy Alatorre, Deputy [redacted] and Suspect Espinoza) to fall back onto the ground.

When Suspect Espinoza went to the ground the second time, he fell on his stomach, and tucked his hands underneath his body. Because Suspect Espinoza refused to follow the deputies' orders to remove his hands from underneath his body, and fearing Suspect Espinoza may retrieve a knife from his person, Deputy Alatorre punched Suspect Espinoza one time in the left temple area. The punch had no effect as Suspect Espinoza continued to struggle with the deputies, and kept his hands underneath his stomach.

Utilizing his right elbow, Deputy Alatorre struck the suspect one time in the left temple area. The elbow strike took immediate effect, and Suspect Espinoza released his left hand from underneath his body. Deputy Alatorre placed one handcuff on Suspect Espinoza's left hand, but his right hand was still underneath his body. Suspect Espinoza continued to refuse the deputies' orders, and kept his right hand concealed underneath his body. Deputy [redacted] arrived shortly after, and assisted Deputy [redacted] to remove Suspect Espinoza's right arm

from underneath his body. Suspect Espinoza continued to refuse to obey the deputies' verbal commands, and kept his right arm underneath his body. Deputy [redacted] deployed his Taser, removed the cartridge, and placed it against Suspect Espinoza's lower back area. Deputy [redacted] activated the Taser for approximately three seconds. The Taser had an immediate effect, and Suspect Espinoza removed his right hand from underneath his body. Working together, Deputies [redacted] and Alatorre were able to secure the handcuffs on Suspect Espinoza.

After Suspect Espinoza was handcuffed, Deputy [redacted] searched him and found a Swiss army knife in his right front shorts' pocket. The deputies noticed Suspect Espinoza was bleeding profusely from his wrists, and escorted him down the hillside. Paramedics arrived shortly after, and rendered medical assistant. Suspect Espinoza was transported via ambulance to Los Angeles County Medical Center (LCMC), where he was treated for his injuries. Suspect Espinoza was subsequently admitted to LCMC due to his head injuries.

Following the use of force, involved deputies reported the incident to Sergeant Joel Flores. Deputy Vaca documented an incident report, listed under file #015-15203-0277-050, refer to **[EXHIBIT A]**. Deputies Alatorre, [redacted] and [redacted] documented their involvement in supplemental reports, refer to **[EXHIBIT B]**.

The Taser activation log showed the Taser was activated for five seconds, refer to **[EXHIBIT C]**. It was discovered at the hospital Suspect Espinoza sustained a laceration to this left hand, a cut on his left eyebrow, and an intracerebral hemorrhage right temporal lobe, refer to his medical records in **[EXHIBIT D]**.

IAB investigators canvassed the area for witnesses. Two civilians were interviewed ([redacted] & [redacted]). Both stated they only saw deputies walking with the suspect down the hill, but they did not see any physical altercations.

RADIO TRAFFIC

DISPATCH 3

1946 Hours: Call transferred from CHP to ELA, male informant requested police to check on an abandon property stating there was a lot of blood at the location.

1952 Hours: Unit 22 was assigned the handle with 21A assist.

1955 Hours: Unit 22 arrived at the location.

1957 Hours: Unit 21A arrived at the location.

1959 Hours: Unit 22 requested Aero unit.

2010 Hours: Emergent traffic, Unit 24 advising SCC he was involved in a fight. Air 22 responded to SCC and guided ground units to Unit 24.

2011 Hours: Unit 23 advising SCC the situation was secured.

EAST LOS ANGELES L-TAC

1952 Hours: Unit 22 coordinated with ELA units.

1953 Hours: Unit 22 coordinated with Unit 24.

1958 Hours: Unit 22 advising ELA assisting units to roll into the location.

2001 Hours: Aero Unit inquired about the call with ELA desk.

2003 Hours: Unit 22 provided the suspect's descriptions to assisting units.

2005 Hours: Air 22 corresponded with Unit 22.

2206 Hours: Air 22 inquired about an Astro van.

2007 Hours: Air 22 advised ground units the suspect appeared to drop an unknown article underneath a vehicle.

INVOLVED EMPLOYEE AND WORK HISTORY

Andrew Alatorre, Deputy Sheriff, #[redacted]
Central Patrol Division
East Los Angeles Station

Work History

Date of Employment: April 30, 2007
Date Assigned East Los Angeles Station: August 11, 2013
Date Completed Patrol Training: [redacted]
Prior Shooting incident(s):
Prior Founded Force Incidents:

Equipment Worn On Person

Oleoresin Capsicum (OC) Spray
Expandable paton (ASP)

Handcuffs
Portable radio

[redacted] Deputy Sheriff, #[redacted]
Central Patrol Division
East Los Angeles Station

Work History

Date of Employment:	April 9, 2007
Date Assigned to East Los Angeles Station:	August 16, 2015
Date Completed Patrol Training:	[redacted]
Prior Shooting incident(s):	
Prior Founded Force Incidents:	

Equipment Worn On Person

Oleoresin Capsicum (OC) Spray
Expandable paton (ASP)
Handcuffs
Keys holder
An extra magazine
Taser
Portable radio

[redacted] Deputy Sheriff, #[redacted]
Central Patrol Division
East Los Angeles Station

Work History

Date of Employment:	July 14, 2005
Date Assigned East Los Angeles Station:	August 1, 2010
Date Completed Patrol Training:	[redacted]
Prior Shooting incident(s):	
Prior Founded Force Incidents:	

Equipment Worn On Person

Oleoresin Capsicum (OC) Spray
Expandable paton (ASP)
Handcuffs
Keys keeper
An extra magazine
An extra set of handcuffs
Portable radio

SUSPECT INFORMATION

Martin Espinoza
Male, Hispanic, DOB: June 6, 1981, 5'10", 240 pounds
[redacted]
CII # [redacted] MAIN # [redacted] FBI # [redacted]

Criminal History

The Consolidated Criminal History System reveals Suspect Espinoza [redacted] For Suspect's Espinoza's complete Consolidated Criminal History see a copy of his Criminal History which is included with this investigation in **Miscellaneous Documents**.

SUSPECT'S INJURIES

Suspect Espinoza sustained cuts on his left hand, a laceration to the left eyelid, and a hemorrhage on the right temporal lobe.

DEPUTY PERSONNEL INJURIES

There were no injuries to deputy personnel.

PHYSICAL EVIDENCE

A knife was recovered at the scene, however, it was never booked into evidence.

INVESTIGATOR'S OBSERVATIONS

There was a broken window at the location where the suspect assaulted his girlfriend, with glass fragments shattered on the ground. There was a significant amount of blood inside the house where the window was broken, in addition to the blood found on the sidewalk in the front of the house.

Photographs of the location and the shattered glass were taken the night of the incident by Deputy Justin Waites. IAB investigators returned to the location on July 27, 2016, and took additional photographs of the hillside during daylight hours. The photographs are included in **[EXHIBIT E]**.

WEAPON USED BY DEPUTY ALATORRE

Deputy Alatorre used personal weapons to take Suspect Espinoza down to the ground.

WEAPON USED BY DEPUTY [redacted]

X-26 Taser.

WEAPONS USED BY SUSPECT ESPINOZA

Personal weapons.

PROPERTY DAMAGE BY SUSPECT ESPINOZA

Broken window.

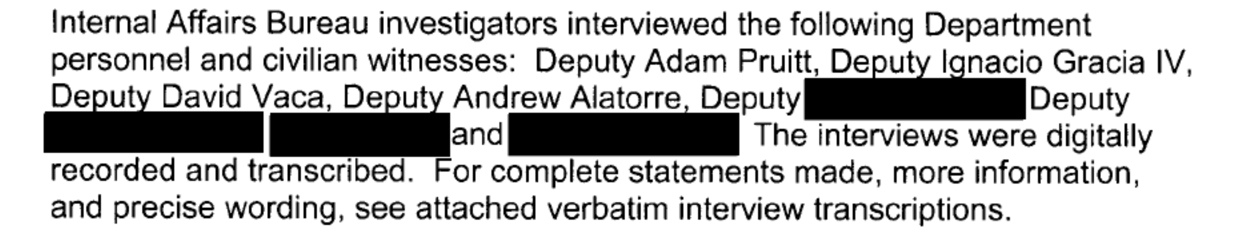
CRIMINAL INVESTIGATORS AND CHARGES FILED

The criminal investigation was handled by East Lost Angeles Station Detective Eduardo Sanchez. The suspect was charged with one count of 273.5(a) PC, and one count of 148(a)(1) PC. The case was filed at East Los Angeles Court under case #5EA05880. On October 30, 2015, Suspect Espinoza was convicted for two misdemeanors which included a Domestic Violence conviction, 273.5(a) PC, and a Resist a Police Officer conviction, 148(a)(1) PC.

LIGHTING AND WEATHER CONDITIONS

The lighting condition at the location was dark, and illuminated intermittently by Aero Unit 22. The weather condition was clear.

INVESTIGATION:



Internal Affairs Bureau investigators interviewed the following Department personnel and civilian witnesses: Deputy Adam Pruitt, Deputy Ignacio Gracia IV, Deputy David Vaca, Deputy Andrew Alatorre, Deputy [redacted] Deputy [redacted] [redacted] and [redacted] The interviews were digitally recorded and transcribed. For complete statements made, more information, and precise wording, see attached verbatim interview transcriptions.

On October 22, 2015, Suspect Espinoza was interviewed by East Los Angeles Station Lieutenant Roberto Medrano and Sergeant Jose Gonzalez. The interviews were videotaped, refer to **[EXHIBIT E]**. Suspect Espinoza was heavily sedated and unable to answer questions.

On October 22, 2015, Suspect Espinoza was interviewed by IAB investigators. Suspect Espinoza said he was tackled by deputies, and taken to the ground. Once he was on the ground, the deputies punched him three times in the left side of his head. The deputies Tased him in the buttocks, and kicked him on the side of his body. Suspect Espinoza believed he cut his left hand on the hill. He denied punching the house's window.

Suspect Espinoza's interview was digitally recorded and transcribed. For complete statements made, more information, and precise wording, see attached verbatim interview transcriptions.

ADDITIONAL INFORMATION:

Deputies Alatorre, [redacted] and [redacted] were shown photographs depicting the location of the use of force. The photographs were attached at the end of their transcripts.